

ASSEMBLY BILL

No. 377

Introduced by Assembly Member Chan

February 14, 2003

An act to amend Section 27151 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 377, as introduced, Chan. Vehicles: exhaust systems: modification.

Existing law establishes noise limits for various types of motor vehicles based on specified factors. Under existing law, a person is prohibited from modifying an exhaust system of a motor vehicle in a manner that will amplify or increase the noise emitted so that the vehicle is not in compliance with the noise limits. Persons are also prohibited from operating a motor vehicle that is not in compliance. Existing law describes a specific exhaust system, which may include nonoriginal exhaust equipment, installed on certain motor vehicles which are deemed in compliance with the noise restrictions.

This bill would delete the provision that currently deems certain exhaust systems, including nonoriginal exhaust equipment, within the scope of compliance with the noise limitations. Because this would expand the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27151 of the Vehicle Code is amended
2 to read:

3 27151. ~~(a) No~~ A person ~~shall~~ *may not* modify the exhaust
4 system of a motor vehicle in a manner ~~which~~ *that* will amplify or
5 increase the noise emitted by the motor of the vehicle so that the
6 vehicle is not in compliance with the provisions of Section 27150
7 or exceeds the noise limits established for the type of vehicle in
8 Article 2.5 (commencing with Section 27200). ~~No~~ A person ~~shall~~
9 *may not* operate a motor vehicle with an exhaust system so
10 modified.

11 ~~(b) For the purposes of exhaust systems installed on motor~~
12 ~~vehicles with a manufacturer's gross vehicle weight rating of less~~
13 ~~than 6,000 pounds, other than motorcycles, a sound level of 95~~
14 ~~dbA or less, when tested in accordance with Society of Automotive~~
15 ~~Engineers Standard J1169 May 1998, complies with this section.~~
16 ~~Motor vehicle exhaust systems or parts thereof include, but are not~~
17 ~~limited to, nonoriginal exhaust equipment.~~

18 SEC. 2. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.

